

UNITED STATES DISTRICT COURT  
FOR THE WESTERN OF WASHINGTON  
AT SEATTLE

**In The Matter Of:**

THE COMPLAINT OF ELLSWORTH AND KATHLEEN SCHOBER, AND THE MARITAL COMMUNITY THEREOF, AND CHRISTOPHER SCHOBER, as owner or owner *pro hac vice* of the M/V SCHO-BOAT for Exoneration from or Limitation of Liability.

### Petitioners.

IN ADMIRALTY

NO. 2:19-cv-00320

**ORDER APPROVING NOTICE  
OF VALUE, DIRECTING  
CITATION AND ISSUING  
INJUNCTION**

WHEREAS, it satisfactorily appears to the above-entitled Court:

1. That Ellsworth and Kathleen Schober, and the marital community thereof, and Christopher Schober (collectively "Petitioners"), as owner and owner *pro hac vice* of the M/V SCHO-BOAT, have duly filed their Complaint for Exoneration from or Limitation of Liability, therein praying for (a) the acceptance and approval of the deposit for cost by the Court; (b) due issuance of the usual Citation to the Marshal to issue notice of limitation proceeding to and against all persons claiming damages for any damage, loss, or injury to any person or property arising or resulting from the January 13, 2019 fire and destruction of the SCHO-BOAT; (c) due public notice to all persons of such Citation according to all applicable rules; and (d) issuance of an injunction restraining both the institution and further prosecution of any and all suits or actions or other proceedings of any

**ORDER APPROVING NOTICE OF VALUE,  
DIRECTING CITATION AND ISSUING INJUNCTION - 1**

**ATTORNEYS AT LAW**  
**BAUER MOYNIHAN & JOHNSON LLP**  
2101 FOURTH AVENUE • SUITE 2400  
SEATTLE, WASHINGTON 98121-2320  
(206) 443-3400

1 character whatsoever in any Court whatsoever (excepting this proceeding) against petitioners  
2 based on or connected with any claim or claims directly or indirectly related to the January 13,  
3 2019 fire described in the Complaint.

4        2. That with the Complaint, petitioners also filed a Notice of Value and a Motion for  
5 Order Re: Security For Costs seeking to deposit security for costs in the sum of \$500.00, and,  
6 thereafter, additional security in the amount of six percent (6%) per annum.

## ORDER

THEREFORE, on motion on behalf of petitioners, appearing through their attorneys of record, Bauer Moynihan & Johnson LLP, this Court hereby enters its order as follows:

1. That, subject to further order of this Court, because the value of the vessel after the fire was zero there is no need to file security for limitation herein.

2. That the sum proposed in petitioner's Motion Re: Security for Costs in the amount of \$500.00, as duly filed, be now adjudged in all respects adequate and proper and is hereby accepted, as a deposit for costs herein.

3. That a Citation of this Court in due form according to its practices and complying with the applicable Federal Rules of Civil Procedure shall be issued by the Clerk forthwith against all persons claiming damages for any damage, loss, or injury of person or property arising or resulting from the January 13, 2019 fire citing them and requiring each of them to file their respective claims with the Clerk of this Court and to serve on or mail to the attorney for petitioners, Amy I. Paden, Bauer Moynihan & Johnson LLP, 2101 Fourth Avenue, Suite 2400, Seattle, Washington 98121, a copy thereof before or on the return date specified in said Citation being the 17 day of July, 2019, or other date not less than thirty (30) days after the issuance of said Monition unless for cause shown the return date is deferred by order of this Court.

1       4. That public notice of the Monition shall be given by the United States Marshal by  
2 publication of such notice once each week for four (4) consecutive weeks before the return date  
3 in the Seattle Daily Journal of Commerce as prescribed by Supplemental Rules for Certain  
4 Admiralty and Maritime Claims Rule F of the Federal Rules of Civil Procedures and Local  
5 Admiralty Rule 150.

6       5. That an injunction is hereby issued prohibiting, restraining, and staying both the  
7 institution and the further prosecution of any and all suits or actions or other legal proceedings  
8 of any character whatsoever in any court whatsoever (except only in this proceeding and this  
9 Court), against petitioners based on or connected with any claim directly or indirectly related to  
10 the January 13, 2019 fire as described in the Complaint.

11      6. That service of this order as restraining order shall be made within this District in the  
12 usual manner and in any other District by delivering a certified copy of this order to the person  
13 or persons to be restrained, or to their respective attorneys or representatives.

14  
15      DATED this 6<sup>th</sup> day of June, 2019.

16  
17        
18      The Honorable Barbara J. Rothstein  
19      United States District Court Judge

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21  
22      Presented By:  
23      BAUER MOYNIHAN & JOHNSON LLP  
24  
25      /s/Amy I. Paden  
26      Amy I. Paden, WSBA 50784  
          Attorneys for Petitioners

ORDER APPROVING NOTICE OF VALUE,  
DIRECTING CITATION AND ISSUING INJUNCTION - 3

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